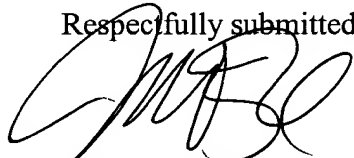


and the composition as comprising ginsenoside. With regard to the species of alimentary administration, claims 1-14, 19-22, 30-38, and 51 are generic, claims 17 and 18 are drawn to the selected species, and claims 15 and 16 are drawn to the non-elected species. With regard to the species of compositions comprising ginsenosides, claims 1-3, 10-22, 30, 33, 34, 35, and 38 are generic, claims 4-7, 31, 32, 36, 37, and 51 are drawn to the selected species, and claims 8 and 9 are drawn to the non-elected species. Applicants reserve the right to have any and all dependent claims directed to the non-elected species examined in the present case if any of the above-mentioned generic claims or any other generic claims are found to be allowable.

Applicants believe this to be a full and complete response to the Restriction Requirement dated November 22, 2002. Applicants respectfully request favorable consideration of this case in view of the above comments and amendments. Should the Examiner have any questions, comments, or suggestions relating to this case, the Examiner is invited to contact the undersigned Applicants' representative at (512) 536-3035.

Respectfully submitted,



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APPENDIX A

Pending Claims

1. A method of treating diabetes comprising administering to an animal having diabetes an active compound from a berry from a plant of the *Panax* genus.
2. The method of claim 1, wherein the berry is from the ginseng species *Panax ginseng* or *Panax quinquefolius*.
3. The method of claim 2, wherein the active compound comprises an anti-hyperglycemic constituent.
4. The method of claim 3, wherein the active compound comprises a ginsenoside.
5. The method of claim 4, wherein the ginsenoside is Rg1, Re, Rb1, Rc, Rb2 or Rd.
6. The method of claim 5, wherein the ginsenoside is Re.
7. The method of claim 3, wherein the active compound comprises at least two ginsenosides.
8. The method of claim 3, wherein the active compound comprises non-ginsenoside components of berry extract.
9. The method of claim 3, wherein the active compound is ginsenoside free.
10. The method of claim 3, wherein the active compound comprises an anti-obesity constituent.
11. The method of claim 1, wherein the animal has non-insulin dependent diabetes.
12. The method of claim 1, wherein the animal is a mammal.
13. The method of claim 12, wherein the mammal is a human.
14. The method of claim 13, wherein the human is obese.

15. The method of claim 1, wherein the composition is administered via a parenteral route.
16. The method of claim 15, wherein the parenteral route is intraperitoneal, intravenous, subcutaneous, intramuscular, intradermal or transdermal.
17. The method of claim 1, wherein the composition is administered via an alimentary route.
18. The method of claim 17, wherein the alimentary route is oral, rectal, sublingual or buccal.
19. The method of claim 1, wherein the composition is administered as a dose.
20. The method of claim 19, wherein the dose is administered at least once a day.
21. The method of claim 19, wherein the dose is administered preprandial.
22. The method of claim 1, wherein the composition is administered as a series of doses.
30. A method of treating an animal having hyperglycemia comprising administering to the animal an active compound from a berry from a plant of the *Panax* genus.
31. The method of claim 30, wherein the active compound comprises a ginsenoside.
32. The method of claim 31, wherein the ginsenoside is Re.
33. The method of claim 30, wherein the active compound comprises an anti-obesity constituent.
34. A method of treating an animal to decrease blood glucose levels comprising administering to the animal an active compound from a berry from a plant of the *Panax* genus.
35. The method of claim 34, wherein the active compound comprises an anti-hyperglycemic constituent.
36. The method of claim 35, wherein the active compound comprises a ginsenoside.
37. The method of claim 36, wherein the ginsenoside is Re.

38. The method of claim 35, wherein the active compound comprises an anti-obesity constituent.

51. The method of claim 4, wherein the active compound further comprises a non-ginsenoside component.